

IN THE MARSHALL CIRCUIT COURT
STATE OF INDIANA

SZABOLCS CSAPO
Plaintiff

CAUSE NO. 50C01-2203-CT-000008
Marshall Circuit Court

v.

CHRISTOPHER COON

and

DARK NIGHT TRANSPORT LLC
Defendants

COMPLAINT AND DEMAND FOR JURY TRIAL

Comes the Plaintiff, Szabolcs Csapo, by and through counsel, John L. Smith, and for his cause of action against the Defendants Christopher Coon and Dark Night Transport LLC hereby states as follows:

1. At all relevant times, the Plaintiff Szabolcs Csapo was a resident of Orlando, Florida.
2. At all relevant times, the Defendant, Christopher Coon, was a resident of Williston, North Dakota and acting within the course and scope of his employment with Defendant, Dark Night Transport LLC
3. At all relevant times, the Defendant, Dark Night Transport LLC, was an North Dakota Corporation authorized to do business and doing business in the State of Indiana and employed Defendant Christopher Coon.
4. The events described herein occurred in Marshall County, State of Indiana, and this Court has proper venue in this action.

COUNT I

5. On or about August 5, 2020, the Defendant, Christopher Coon, was negligent in the operation, maintenance, and control of a tractor-trailer.

6. The Defendant, Christopher Coon, was traveling Eastbound of US 30 in Marshall County, Indiana, when he failed to keep a proper control of his vehicle and failed to keep a proper lookout and struck the vehicle the Plaintiff's vehicle in the rear end.

7. As a direct and proximate result of the acts and conduct of Defendant, Christopher Coon, the Plaintiff sustained severe and permanent bodily injury; has incurred and will continue to incur medical bills and expenses; past and future lost wages; and has suffered and will continue to suffer physical pain and inconvenience; all damages in excess of the minimal amount necessary to confer jurisdiction upon this Court.

8. The negligence of Defendant, Christopher Coon, in the use of a motor vehicle and/or his acts and/or omissions being otherwise negligent are the direct and proximate cause of all the damages suffered by the Plaintiff, or are a substantial cause in causing same.

COUNT II

9. On or about the aforementioned date, the Defendant, Dark Night Transport LLC was the owner of the vehicle driven by Defendant Christopher Coon that was involved in the subject collision.

10. At all times relevant, Defendant Christopher Coon was employed by, and acting within the scope of his employment as an employee for Defendant Dark Night Transport LLC or one of its agents, subsidiaries, distributorships, or owned businesses or companies, or corporations, and thereby causing the aforementioned Defendant Dark

Night Transport LLC to be either directly or vicariously liable for the injuries caused to Plaintiff.

11. As a direct and proximate result of the acts and conduct of Defendant, Dark Night Transport LLC, the Plaintiff sustained severe and permanent bodily injury; has incurred and will continue to incur medical bills and expenses; past and future lost wages and has suffered and will continue to suffer physical pain and inconvenience; all damages in excess of the minimal amount necessary to confer jurisdiction upon this Court.

12. The negligence of Defendant Dark Night Transport LLC or one of its employees acting within the scope of their employment, agents, subsidiaries, owned business, companies or corporations in their driving operations and/or their acts and/or omissions being otherwise negligent are the direct and proximate cause of all damages suffered by Plaintiff, or are substantial cause in causing the same.

WHEREFORE, Plaintiff, Szabolcs Csapo demands relief against Defendants Christopher Coon and Dark Night Transport LLC as follows:

1. Judgment against the Defendants, for compensatory damages in an amount in excess of the amount necessary to invoke the jurisdiction of this court and reasonably calculated to compensate Plaintiff for damages, to include the following:
 - a. Past and future medical expenses;
 - b. Past and future pain and suffering.
 - c. Past and future lost wages.
2. **Trial by jury;**

3. Any and all interest to which Plaintiff may be adjudicated to be entitled to from the date of filing this action; and
4. Any and all other appropriate relief to which Plaintiff may appear to be justly entitled.

Respectfully submitted,

/s/ John L. Smith

John L. Smith #26921-31
Morgan & Morgan
426 Bank Street Suite 300
New Albany, IN 47150
812.542.0048 (t)
812.941.4026 (f)
Counsel for Plaintiff

Comes now the Plaintiff, Szabolcs Csapo, and demands a trial by jury on all issues so triable.

/s/ John L. Smith

John L. Smith #26921-31

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APPEARANCE

This Appearance Form must be filed on behalf of every party in a civil case.

1. The party on whose behalf this form is being filed is:
Initiating X Responding _____ Intervening _____; and

the undersigned attorney and all attorneys listed on this form now appear in this case for the following parties:

Name of party Szabolcs Csapo, Plaintiff

Address of party (see Question # 6 below if this case involves a protection from abuse order, a workplace violence restraining order, or a no-contact order)

Telephone # of party _____

FAX: _____

Email Address: _____

(List on a continuation page additional parties this attorney represents in this case.)

2. Attorney information for service as required by Trial Rule 5(B)(2)

Name: John L. Smith Atty Number: #26921-31

Address: Morgan & Morgan, 426 Bank Street Suite 300, New Albany, IN 47150

Phone: (812) 850-6850

FAX: (812) 941-4026

Email Address: johnsmith@forthepeople.com

(List on continuation page additional attorneys appearing for above party)

3. This is a CT case type as defined in administrative Rule 8(B)(3).
4. I will accept service from other parties by:
- FAX at the above noted number: Yes ____ No X
- Email at the above noted number: Yes ____ No X
5. This case involves child support issues. Yes ____ No X *(If yes, supply social security numbers for all family members on a separately attached document filed as confidential information on **light green paper**. Use Form TCM-TR3.1-4.)*
6. This case involves a protection from abuse order, a workplace violence restraining order, or a no – contact order. Yes ____ No X *(If Yes, the initiating party must provide an address for the purpose of legal service but that address should not be one that exposes the whereabouts of a petitioner.)* The party shall use the following address for purposes of legal service:

_____ Attorney's address

_____ The Attorney General Confidentiality program address
(contact the Attorney General at 1-800-321-1907 or e-mail
address is **confidential@atg.in.gov**).

_____ Another address (provide)

7. This case involves a petition for involuntary commitment. Yes ____ No X
8. If Yes above, provide the following regarding the individual subject to the petition for involuntary commitment:
- a. Name of the individual subject to the petition for involuntary commitment if it is not already provided in #1 above:

- b. State of Residence of person subject to petition: _____
- c. At least one of the following pieces of identifying information:
- (i) Date of Birth _____

- (ii) Driver's License Number _____
State where issued _____ Expiration date _____
- (iii) State ID number _____
State where issued _____ Expiration date _____
- (iv) FBI number _____
- (v) Indiana Department of Corrections Number

- (vi) Social Security Number is available and is being provided in an
attached confidential document Yes ____ No ____

9. There are related cases: Yes ____ No X (If yes, list on continuation page.)

10. Additional information required by local rule:

11. There are other party members: Yes ____ No X (If yes, list on continuation page.)

12. This form has been served on all other parties and Certificate of Service is attached:

Yes ____ No X

s/ John L. Smith
John L. Smith 26921-31
Morgan & Morgan
426 Bank Street Suite 300
New Albany, IN 47150
812-850-6850 (t)
812-941-4026 (f)
johnsmith@forthepeople.com
Counsel for Plaintiff

STATE OF INDIANA
MARSHALL CIRCUIT COURT

CAUSE NO. 50C01-2203-CT-000008

Szabolcs Csapo
PLAINTIFF

- v -

Christopher Coon and
Dark Night Transport LLC
DEFENDANTS**AMENDED APPEARANCE**

- ① The parties on whose behalf this form is being filed is:
Initiating ☐ Responding ☒ Intervening ☐; and
I now appear in this case for the following parties: Christopher Coon
and Dark Night Transport LLC.
- ② My attorney information for service under Ind. T.R. 5(B)(2) and for
case information under Ind. T.R. 3.1 and 77(B) is:

J. Thomas Vetne | 19606-64

JONES OBENCHAIN, LLPSUITE 400
130 SOUTH MAIN ST.
POST OFFICE BOX 4577
SOUTH BEND, IN 46634-4577

574.233.1194 EXT. 141 | 574.233.8957 FAX

jtv@jonesobenchain.com

IMPORTANT: Each attorney specified on this appearance:

- ① certifies that the contact information listed for him on the Indiana
Supreme Court Roll of Attorneys is current and accurate as of the
date of this Appearance;
- ② *acknowledges that all orders, opinions, and notices from the
court in this matter that are served under Trial Rule 86(G) will be
sent to the attorney at the email address(es) specified by the atto-
rney on the Roll of Attorneys regardless of the contact informa-
tion listed above for the attorney; and*
- ③ understands that he is solely responsible for keeping his Roll of
Attorneys contact information current and accurate under Ind.
Admis. Disc. R. 2(A).

CAUSE No. 50C01-2203-CT-000008

Attorneys can review and update their Roll of Attorneys contact information on the Courts Portal at <http://portal.courts.in.gov>.

- ③ This is a CT case type as defined in administrative rule 8(B)(3).
- ④ This case *does not involve* child-support issues.
- ⑤ This case *does not involve* protection-from-abuse orders, workplace-violence restraining orders, or no-contact orders.
- ⑥ This case *does not involve* a petition for involuntary commitment.
- ⑦ There are *no* related cases.
- ⑧ Additional information required by local rule: The provisions of Ind. T.R. 5 and 6 concerning time will be adhered to notwithstanding fac-simile service.
- ⑨ There are no other party members.
- ⑩ This form has been served on all other parties and certificate of service is attached.

/s/ J. Thomas Vetne

J. Thomas Vetne, Attorney-at-Law
(Attorney information shown above)

CERTIFICATE OF SERVICE

I certify that on March 22, 2022, I served this appearance on the following via the IEFS:

John L. Smith
Morgan & Morgan
426 Bank Street Suite 300
New Albany, IN 47150
Plaintiff's Attorneys

/s/ J. Thomas Vetne

J. Thomas Vetne | 19606-64

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Defendants

SUMMONS

THE STATE OF INDIANA TO: Dark Night Transport LLC
C/O Christopher Coon
1840 30th Street W
Williston, ND 58801

You have been sued by the Plaintiff in the Court stated above.

The nature of the suit against you is stated in the complaint, which is attached to this summons. It also states the demand, which the Plaintiff has made against you.

You or your attorney must answer the petition in writing and your written answer must be filed with the Court within twenty (20) days after you receive this summons or within twenty-three (23) days if you received this summons by mail, or a judgment will be entered against you for what the Plaintiff has demanded in the attached petition.

If you deny the demand, or if you have a claim against the Plaintiff, you must assert it in your written answer.

It is suggested that you immediately consult an attorney of your choice regarding this matter.

The following manner of service of summons is hereby designated:

CERTIFIED MAIL

Dated: March 9, 2022, 2022

Deborah VanDeMark
CLERK, MARSHALL CIRCUIT COURT



BB

IN THE MARSHALL CIRCUIT COURT
STATE OF INDIANA

SZABOLCS CSAPO
Plaintiff

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Defendants

SUMMONS

THE STATE OF INDIANA TO: Christopher Coon
1714 30th Street W
Williston, ND 58801

You have been sued by the Plaintiff in the Court stated above.

The nature of the suit against you is stated in the complaint, which is attached to this summons. It also states the demand, which the Plaintiff has made against you.

You or your attorney must answer the petition in writing and your written answer must be filed with the Court within twenty (20) days after you receive this summons or within twenty-three (23) days if you received this summons by mail, or a judgment will be entered against you for what the Plaintiff has demanded in the attached petition.

If you deny the demand, or if you have a claim against the Plaintiff, you must assert it in your written answer.

It is suggested that you immediately consult an attorney of your choice regarding this matter.

The following manner of service of summons is hereby designated:

CERTIFIED MAIL

Dated: March 9, 2022, 2022

Deborah VanDeMark
CLERK, MARSHALL CIRCUIT COURT



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Plaintiff

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and

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Defendants

ALIAS SUMMONS

THE STATE OF INDIANA TO: Christopher Coon
P.O. Box 1741
Williston, ND 58802

You have been sued by the Plaintiff in the Court stated above.

The nature of the suit against you is stated in the complaint, which is attached to this summons. It also states the demand, which the Plaintiff has made against you.

You or your attorney must answer the petition in writing and your written answer must be filed with the Court within twenty (20) days after you receive this summons or within twenty-three (23) days if you received this summons by mail, or a judgment will be entered against you for what the Plaintiff has demanded in the attached petition.

If you deny the demand, or if you have a claim against the Plaintiff, you must assert it in your written answer.

It is suggested that you immediately consult an attorney of your choice regarding this matter.

The following manner of service of summons is hereby designated:

3/23/2022

Dated: _____, 2022

CERTIFIED MAIL

Deborah VanDerMark
CLERK, MARSHALL CIRCUIT COURT

